

- I. Claims 1-58, drawn to device, classified in class 604, subclass 65.
- II. Claims 59-64, drawn to method of use, classified in class 128, subclass 898.

In response, Applicants elect the invention of Group I, and claims 1-58.

The Examiner further restricted Group I. to the following species:

Species A - Figure 1;

Species B - Figures 2-36(c);

Species C - Figures 37-39.

Pursuant to M.P.E.P. § 803, a restriction requirement is proper only if (1) the inventions are independent or distinct as claimed, and (2) there would be a serious burden on the Examiner if the restriction is not required. Accordingly, Applicants traverse this further restriction and request that claims 1-58 be examined in the present application. While the species may be patentably distinct, Applicants submit that a search and examination of Species B and C in addition to Species A would not impose a serious burden on the Examiner. Indeed, Species A-C all pertain to a medication delivery system requiring, among other things, a medical device and a computing device. Furthermore, Applicants submit that claims 1-58 are readable on Species A. Because all the species generally pertain to a medication delivery system, Applicants anticipate that all of the above class and subclass would be searched for each of Species A-C. Thus, there would not be a serious burden on the Examiner if the restriction is not required. Applicants do not admit that any references from these classes or subclasses of each respective species are analogous to each other or are relevant to any of Applicants' claims.

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If the Examiner makes the restriction requirement final, Applicants provisionally elect to prosecute the claims of Species A. As stated, however, Applicants submit that claims 1-58 are readable on Species A.

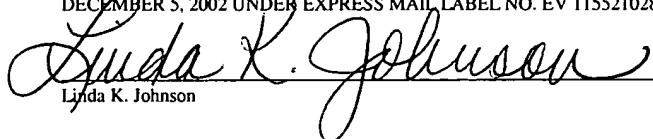
If the Examiner has any questions, it is requested that the Examiner call the undersigned attorney.

Respectfully submitted,

Date: December 5, 2002

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Linda K. Johnson